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12 Attorneys for Defendants LVMPD, Devin Ballard and Patrick Neville

13 CHARLES MOSER,

14 Plaintiff,

15 vs.  
16 DEVIN BALLARD, an Individual;  
17 PATRICK NEVILLE, an Individual; and  
18 LAS VEGAS METROPOLITAN POLICE  
19 DEPARTMENT,

20 Defendants.

21 Case Number:  
22 2:17-cv-01704-APG-NJK

23 **STIPULATION AND ORDER**  
24 **(FIRST REQUEST)**

25 Plaintiff Charles Moser (“Plaintiff”), by and through their attorneys of record, Daniel  
26 Marks, Esq. and Adam Levine, Esq. of Law Office of Daniel Marks, and Defendants Las  
27 Vegas Metropolitan Police Department (the “Department” or “LVMPD”), Devin Ballard  
28 (“Ballard”) and Patrick Neville (“Neville”) (collectively “LVMPD Defendants”), by and  
through their attorneys of record, Nick D. Crosby, Esq. and Jackie V. Nichols, Esq., of  
Marquis Aurbach, hereby agree and jointly stipulate the following.

Accordingly, the parties met and conferred on Thursday, April 4, 2024 and agreed to  
the following terms:

1. The parties hereby agree and stipulate that the term “demotion” is prohibited  
during trial and the proper term to describe the action taken against Plaintiff is a disciplinary  
transfer.

2. The parties further stipulate that the conclusion from the Labor Management  
Board is excluded.

1       3. During the meet and confer, the parties discussed the exclusion of Plaintiff's  
2 expert Dr. Thomas Carroll. Plaintiff indicated that he will attempt to supplement Dr. Carroll's  
3 report as soon as possible and hopefully by April 12, 2024.

4       4. As such the parties stipulate that upon receipt of the supplement report,  
5 Defendants shall have one week to file a motion in limine, if necessary, regarding the  
6 supplemental expert report.

7       5. If Defendants do file a motion in limine as to the supplemental expert report,  
8 the parties will submit a stipulation as to an expedited briefing schedule so the Court has an  
9 opportunity to rule on any motion prior to trial.

10      6. Neither party waives any argument as to the supplement expert by agreeing to  
11 move the motion in limine deadlines.

12      IT IS SO STIPULATED.

13      Dated this 5th day of April, 2024.

13      Dated this 5th day of April, 2024.

14      LAW OFFICE OF DANIEL MARKS

14      MARQUIS AURBACH

15      By: /s/ Adam Levine

16      Daniel Marks, Esq.  
17      Nevada Bar No. 2003  
18      Adam Levine, Esq.  
19      Nevada Bar No. 4673  
20      610 S. Ninth Street  
21      Las Vegas, Nevada 89101  
22      Attorneys for Plaintiff Charles Moser

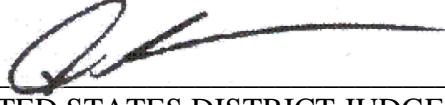
15      By: /s/ Jackie V. Nichols

16      Nick D. Crosby, Esq.  
17      Nevada Bar No. 8996  
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20      10001 Park Run Drive  
21      Las Vegas, Nevada 89145  
22      Attorneys for Defendants LVMPD,  
23      Devin Ballard and Patrick Neville

24      **ORDER**

25      The above Stipulation is hereby GRANTED.

26      IT IS SO ORDERED.



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26      UNITED STATES DISTRICT JUDGE

27      DATED: April 8, 2024